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(Based on PTO 04-07 version)

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet **1** of **2**

Complete if Known

Application Number	10/789,353-Conf. #9688
Filing Date	February 26, 2004
First Named Inventor	Arthur M. Krieg
Art Unit	1645
Examiner Name	N. Archie
Attorney Docket Number	C1039.70083US07

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
/NA/		6,030,954*		Wu et al.	
/NA/		6,620,805*		Takle et al.	

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Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				

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NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
/NA/		BENNETT, C. F., 1995, "Intracellular Delivery of Oligonucleotides with Cationic Liposomes," Delivery Strategies for Antisense Oligonucleotide Therapeutics, Akthar, Ed.: 223-32**	
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		Patent Interference No. 105,526. Krieg Substantive Motion 1 (for unpatentability based on interference estoppel). (Electronically filed, unsigned). **	
		Patent Interference No. 105,526.. Krieg Substantive Motion 2 (for judgment based on inadequate written description and/or enablement). (Electronically filed, unsigned). June 18, 2007. **	
		Patent Interference No. 105,526. Krieg Contingent Responsive Motion (to add new claims 104 and 105). (Electronically filed, unsigned). July 25, 2007. **	
		Patent Interference No. 105,526. Krieg Substantive Motion 3 (for judgment based on prior art). (Electronically filed, unsigned). June 18, 2007. **	
		Patent Interference No. 105,526. Raz Motion 1 (Unpatentability of Krieg Claims under 35 U.S.C. § 112, First Paragraph). (Electronically filed, unsigned). June 18, 2007. **	
		Patent Interference No. 105,526. Raz Motion 2 (Raising a Threshold Issue of No Interference-in-Fact). (Electronically filed, unsigned). June 18, 2007. **	
		Patent Interference No. 105,526.. Raz Motion 3 (Krieg's Claims are Unpatentable Over Prior Art Under 35 U.S.C. § 102(b)) (Electronically filed, unsigned). June 18, 2007. **	
		Patent Interference No. 105,526. Raz Motion 4 (To Designate Krieg Claims 46 and 82-84 as Corresponding to Count 1). (Electronically filed, unsigned). June 18, 2007. **	
		Patent Interference No. 105,526. Raz Responsive Miscellaneous Motion 5 (To revive the Raz Parent Application) (Electronically filed, unsigned) July 25, 2007. **	
		Patent Interference No. 105,526. Raz Contingent Responsive Motion 6 (To Add a New Claim 58) (Electronically filed, unsigned) July 25, 2007. **	

Examiner Signature	/Nina Archie/	Date Considered	12/21/2007
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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
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				First Named Inventor	Arthur M. Krieg
				Art Unit	1645
				Examiner Name	N. Archie
Sheet	2	of	2	Attorney Docket Number	C1039.70083US07

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/NA/		Patent Interference No. 105,526. Krieg Opposition 1 (Opposition to Motion for Lack of Enablement and Written Description) (Electronically filed, unsigned) September 10, 2007. **	
↓		Patent Interference No. 105,526. Krieg Opposition 2 (to Raz Motion 2) (Electronically filed, unsigned) September 10, 2007. **	
↓		Patent Interference No. 105,526. Krieg Opposition 3 (To Raz Motion 3) (Electronically filed, unsigned) September 10, 2007. **	
↓		Patent Interference No. 105,526. Krieg Opposition 4 (Opposition to Motion for Designating Claims 46 and 82-84 as Corresponding to the Court) (Electronically filed, unsigned) September 10, 2007. **	
↓		Patent Interference No. 105,526. Raz Opposition 1 (Opposing Krieg Substantive Motion 1) (Electronically filed, unsigned) September 10, 2007. **	
↓		Patent Interference No. 105,526. Raz Opposition 2 (Opposing Krieg Substantive Motion 2) (Electronically filed, unsigned) September 10, 2007. **	
↓		Patent Interference No. 105,526. Raz Opposition 4 (Opposing Krieg Contingent Responsive Motion to Add New Claims 104 and 105) (Electronically filed, unsigned) September 10, 2007. **	
↓		PRESS RELEASE, January 2007, "Coley Pharmaceutical Group Updates Hepatitis C Drug Development Strategy". **	
↓		PRESS RELEASE, June 2007, "Coley Pharmaceutical Group Announces Pfizer's Discontinuation of Clinical Trials for PF-3512676 Combined with Cytotoxic Chemotherapy in Advanced Non Small Cell Lung Cancer". **	
↓		YAMAMOTO et al., 1994, "Lipofection of Synthetic Oligodeoxyribonucleotide Having a Palindromic Sequence of AACGTT to Murine Splenocytes Enhances Interferon Production and Natural Killer Activity," Microbiol. Immunol. 38(10): 831-836. **	

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*A copy of this reference is not provided as the Office has waived the requirement under 37 C.F.R. 1.98(a)(2)(iii) for submitting a copy of a cited U.S. patent application if it is scanned to the Image File Wrapper system and is available on Private PAIR.

** A copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. 10/690,495, filed October 21, 2003, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

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OCT 29 2007

FORM PTO-1449/A and B (modified PTO-1449) 10/08

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

APPLICATION NO.: 10/789,353

ATTY. DOCKET NO.: C1039.70083US07

FILING DATE: February 26, 2004

CONFIRMATION NO.: 9688

APPLICANT: Krieg et al.

GROUP ART UNIT: 1645

EXAMINER: N. Archie

Sheet 1 of 1

U.S. PATENT DOCUMENTS

Examiner's Initials [#]	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or Issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
/NA/		2007-0224210	A1	Krieg et al.	09-27-2007
/NA/		2007-0232622	A1	Lipford et al.	10-04-2007

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Examiner's Initials [#]	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			

OTHER ART – NON PATENT LITERATURE DOCUMENTS

Examiner's Initials [#]	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
/NA/		Patent Interference No. 105,526. Krieg Opposition 6 (Opposition to Raz Contingent Responsive Motion 6) (Electronically filed, unsigned) September 10, 2007.	
	*	Patent Interference No. 105,526. Krieg Reply 1 (Reply to Raz opposition 1) October 5, 2007	
	*	Patent Interference No. 105,526. Krieg Reply 2 (Reply to Raz opposition 2) October 5, 2007	
	*	Patent Interference No. 105,526. Krieg Reply 4 (Reply to Raz opposition 4) October 5, 2007	
	*	Patent Interference No. 105,526. Raz Reply 1 (Reply to Krieg opposition 1) October 5, 2007	
	*	Patent Interference No. 105,526. Raz Reply 2 (Reply to Krieg opposition 2) October 5, 2007	
	*	Patent Interference No. 105,526. Raz Reply 3 (Reply to Krieg opposition 3) October 5, 2007	
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	*	Patent Interference No. 105,526. Raz Reply 6 (Reply to Krieg opposition 6) October 5, 2007	

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FORM 1449/A (modified PTO/SB/08)

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ATTY. DOCKET NO.: C1039.70083US07

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EXAMINER: Nina Archie

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Examiner's Initials #	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or Issue of Cited Document MM-DD-YYYY
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APPLICANT: Krieg et al.

GROUP ART UNIT: 1645

EXAMINER: Nina Archie

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EXAMINER: Nina Archie

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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/NA/	*	Patent Interference No. 105,171. Iowa Preliminary Motion 7 (motion to redefine interference to designate claims as not corresponding to the Count). (Electronically filed, unsigned). June 7, 2004.	
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	*	Patent Interference No. 105,171. Iowa Opposition 2 (opposition to motion for judgment based on lack of written description support and introducing new matter) (Electronically filed, unsigned). September 9, 2004.	
	*	Patent Interference No. 105,171. Iowa Opposition 3 (opposition to motion for judgment based on anticipation) (Electronically filed, unsigned). September 9, 2004.	
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	*	Patent Interference No. 105,171. Regents of the University of California Reply 1 (to Iowa's opposition to UC's motion to designate Iowa claims as corresponding to the Count). October 15, 2004.	
	*	Patent Interference No. 105,171. Regents of the University of California Reply 2 (to Iowa's opposition to UC Preliminary Motion 2 for Judgment). October 15, 2004.	
↓	*	Patent Interference No. 105,171. Regents of the University of California Reply 3 (to Iowa's Opposition to UC Preliminary Motion 3 for Judgment). October 15, 2004.	

EXAMINER:

/Nina Archie/

DATE CONSIDERED:

12/21/2007

APPLICATION NO.: 10/789,353

ATTY. DOCKET NO.: C1039.70083US07

FILING DATE: February 26, 2004

CONFIRMATION NO.: 9688

APPLICANT: Krieg et al.

GROUP ART UNIT: 1645

EXAMINER: Nina Archie

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

Sheet 13 of 13

/NA/	*	Patent Interference No. 105,171. Regents of the University of California Reply 4 (to Iowa's Opposition to UC Preliminary Motion 4 for Judgment). October 15, 2004.	
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	*	Patent Interference No. 105,171. Regents of the University of California Reply 7 (to Iowa's Opposition to UC Preliminary Motion 7 for Benefit). October 15, 2004.	
	*	Patent Interference No. 105,171. Regents of the University of California Reply 8 (to Iowa's Opposition to UC Preliminary Motion 8 to add additional claims). October 15, 2004.	
	*	Patent Interference No. 105,171. Decision on Motion under 37 CFR §41.125. March 10, 2005.	
	*	Patent Interference No. 105,171. Judgment and Order. March 10, 2005.	
	*	Patent Interference No. 105,171. Regents of the University of California. Brief of Appellant. July 5, 2005.	
	*	Patent Interference No. 105,171. University of Iowa and Coley Pharmaceutical Group, Inc. Brief of Appellees. August 17, 2005.	
	*	Patent Interference No. 105,171. Regents of the University of California. Reply Brief of Appellant. September 6, 2005.	
↓	*	Patent Interference No. 105,171. Regents of the University of California. Decision of CAFC. July 17, 2006.	

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. 10/690,495, filed October 21, 2003, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

NOTE - No copies of U.S. patents, published U.S. patent applications, or pending, unpublished patent applications stored in the USPTO's Image File Wrapper (IFW) system, are included. See 37 CFR §1.98 and 1287OG163. Copies of all other patent(s), publication(s), unpublished, pending U.S. patent applications, or other information listed are provided as required by 37 CFR §1.98 unless 1) such copies were provided in an IDS in an earlier application that complies with 37 CFR §1.98, and 2) the earlier application is relied upon for an earlier filing date under 35 U.S.C. §120.]

EXAMINER:

/Nina Archie/

DATE CONSIDERED:

12/21/2007

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Arthur M. Krieg et al.
Serial No: Not yet assigned
Confirmation No:
Filed: Herewith
For: IMMUNOMODULATORY OLIGONUCLEOTIDES

Examiner: Not yet assigned
Art Unit: Not yet assigned

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.

Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application.

Serial No.:

- 2 -

Art Unit:

The applicant would like to bring to the Examiner's attention the following co-pending applications that may contain subject matter related to this application (copies enclosed with parent patent applications US Serial No.: 10/690,495, 09/415,142 or 08/386,063 except 10/690,495, a copy of which is enclosed herewith, C1039-70083US01 through 70083US07, are identical to the parent and therefore copies are not enclosed):

Docket Number	Serial Number	Filing Date	Inventor(s)
C1037.70013US00	09/776,479	2/2/01	Bratzler et al.
C1037.70016US00	09/009,634	1/20/98	Hutcherson et al.
C1037.70021US00	09/949,194	9/7/01	Peterson et al.
C1037.70025US00	10/017,995	12/14/01	Bratzler
C1037.70038US01	10/735,592	12/11/03	Krieg et al.
C1037.70041US00	10/613,749	7/3/03	Krieg
C1037.70042US00	10/613,524	7/3/03	Krieg
C1037.70043US00	10/613,739	7/3/03	Krieg
C1037.70044US00	10/613,716	7/3/03	Krieg
C1037.70045US00	10/613,228	7/3/03	Krieg
C1037.70046US00	10/455,247	6/5/03	Krieg
C1037.70048US00	10/644,052	8/19/03	Krieg et al.
C1037.70049US00	10/643,141	8/18/03	Hutcherson et al.
C1037.70051US00	10/666,733	9/19/03	Bratzler et al.
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C1039.70020US00	09/337,584	6/21/99	Krieg et al.
C1039.70022US00	09/337,893	6/21/99	Krieg
C1039.70021US01	10/719,493	11/21/03	Krieg et al.
C1039.70035US00	09/669,187	09/25/00	Krieg et al.
C1039.70036US00	09/559,140	4/27/00	Noll et al.
C1039.70041US00	09/655,319	9/5/00	Krieg et al.
C1039.70042US00	09/630,319	7/31/00	Krieg et al.
C1039.70043US00	09/629,477	7/31/00	Krieg et al.
C1039.70044US00	09/672,126	9/27/00	Hartmann et al.
C1039.70048US00	09/818,918	3/27/01	Krieg et al.
C1039.70048US01	10/769,282	1/30/04	Krieg et al.
C1039.70049US00	09/824,468	04/02/01	Krieg et al.
C1039.70052US00	09/888,326	6/22/01	Weiner et al.
C1039.70057US00	09/965,101	9/26/01	Davis et al.
C1039.70058US00	10/023,909	12/18/01	Davis et al.

Serial No.:

- 3 -

Art Unit:

Docket Number	Serial Number	Filing Date	Inventor(s)
C1039.70060US00	10/112,653	3/29/02	Krieg et al.
C1039.70061US00	10/161,229	6/3/02	Krieg et al.
C1039.70062US00	10/187,489	7/2/02	Krieg et al.
C1039.70063US00	10/224,523	8/19/02	Krieg et al.
C1039.70065US00	10/272,502	10/15/02	Krieg et al.
C1039.70067US00	10/300,247	11/20/02	Davis et al.
C1039.70068US00	10/306,522	11/27/02	Krieg et al.
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C1039.70070US00	10/382,822	3/6/03	Krieg et al.
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C1039.70072US00	10/434,696	5/9/03	Davis et al.
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C1039.70083US00	10/690,495	10/21/03	Krieg et al.
C1039.70083US01	10/769,626	1/30/04	Krieg et al.
C1039.70083US02-07	TBD	Herewith	Krieg et al.
C1039.70084US00	10/649,584	8/25/03	Krieg et al.
C1040.70006US00	09/316,199	5/21/99	McCluskie et al.
C1040.70010US00	09/768,012	1/22/01	Davis et al.
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C1041.70005US00	09/355,254	7/23/99	Wagner et al.
C1041.70010US00	09/786,436	9/3/99	Wagner et al.
C1041.70016US00	09/954,987	9/17/01	Bauer et al.
C1041.70019US00	10/140,013	5/6/02	Schetter et al.
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C1041.70031US00	10/265,072	10/5/02	Lipford
C1041.70035US00	10/373,381	2/24/03	Wagner et al.
C1041.70037US00	10/407,952	4/4/03	Lipford et al.
C1041.70040US00	10/666,844	9/19/03	Lipford et al.

Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

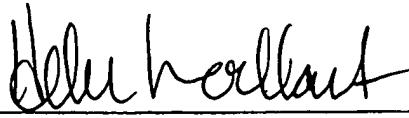
By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,
Arthur M. Krieg et al., *Applicant*

By: 
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Docket No. C1039.70083US07

Date: February 26, 2004

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FORM PTO-1449/A and B (Modified)

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

APPLICATION NO.: 10789353

ATTY. DOCKET NO.: C1039.70083US07

FILING DATE: Herewith

CONFIRMATION NO.:

APPLICANT: Arthur M. Krieg et al.

GROUP ART UNIT: Not yet assigned

EXAMINER: Not yet assigned

Sheet 1 of 7

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	*	3,911,117		Ender	10-07-1975
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FORM PTO-1449/A and B (Modified)

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

APPLICATION NO.:

ATTY. DOCKET NO.: C1039.70083US07

FILING DATE: Herewith

CONFIRMATION NO.:

APPLICANT: Arthur M. Krieg et al.

GROUP ART UNIT: Not yet assigned

EXAMINER: Not yet assigned

Sheet 2 of 7

U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
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FORM PTO-1449/A and B (Modified)

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

APPLICATION NO.:

ATTY. DOCKET NO.: C1039.70083US07

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CONFIRMATION NO.:

APPLICANT: Arthur M. Krieg et al.

GROUP ART UNIT: Not yet assigned

EXAMINER: Not yet assigned

Sheet 3 of 7

U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

APPLICATION NO.:

ATTY. DOCKET NO.: C1039.70083US07

FILING DATE: Herewith

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APPLICANT: Arthur M. Krieg et al.

GROUP ART UNIT: Not yet assigned

EXAMINER: Not yet assigned

Sheet

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of

7

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
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Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
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ATTY. DOCKET NO.: C1039.70083US07

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CONFIRMATION NO.:

APPLICANT: Arthur M. Krieg et al.

GROUP ART UNIT: Not yet assigned

EXAMINER: Not yet assigned

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		APPLICANT: Arthur M. Krieg et al.	
		GROUP ART UNIT: Not yet assigned	EXAMINER: Not yet assigned
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

* copies of these patents and patent applications are not enclosed pursuant to the waiver by the USPTO of the requirement under 37 C.F.R. 1.98 (a)(2)(i) for patent applications filed after June 30, 2003.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in one of the following prior applications, Serial No. 08/386,063, filed 02/07/1995, Serial No. 09/415,142, filed 10/09/99, Serial No. 10/690,495, filed 10/21/03 and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

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APPLICATION NO.:

ATTY. DOCKET NO.: C1039.70083US07

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APPLICANT: Arthur M. Krieg et al.

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/NA/	**	Anfossi et al. (P.N.A.S., 86, 9, 3379-83, 89, HCAPLUS, AN 1989:475562)		
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